

**IN THE CIRCUIT COURT OF THE TWENTY-SECOND JUDICIAL CIRCUIT
MCHENRY COUNTY, ILLINOIS**

IN RE THE MATTER OF PROCEDURES
IN COURTROOM 102

)
) CR 102 Standing Order
) 2020-02

REMOTE PROCEEDINGS IN CASES SCHEDULED IN CR102

1. Access to the Remote Courtroom through Zoom. At the end of May, 2020, a pilot program using Zoom for video teleconferencing was used in CR102. Remote appearance options will now be expanded in CR102. Litigants may make a remote appearance for pleas scheduled on the following dates in June, 2020: June 16, 18, 19, 22, 23, 24 AND for pleas scheduled to be heard on July 1, 2020 and continuously thereafter.
2. Types of Proceedings Heard Remotely. Litigants scheduled to appear in CR 102 may choose to appear remotely for plea, sentencing, status, or to present a motion.
3. Types of Proceedings Not Heard Remotely. Hearings on motions or petitions, trials or any proceeding that involves presentation of evidence in a criminal or quasi-criminal matter will generally not be heard remotely. Parties wishing to participate in a remote proceeding for such matters should file a Motion and present that Motion, properly noticed, to the Court preferably no later than 28 days before the anticipated remote proceeding. A Motion for Remote Proceeding should indicate at a minimum:
 - the nature of the proceeding to be conducted remotely (e.g., trial, hearing on motion),
 - the currently scheduled date of the proceeding,
 - a list of Exhibits the party plans to utilize during the proceeding,
 - an indication of how and when the Exhibits will be circulated prior the proceeding,
 - a list of proposed witnesses for the proceeding, and
 - an indication as to whether all parties and witnesses have consented to appear remotely.
4. Court's Discretion to Terminate. The Court may terminate any remote proceeding if the quality of the video experience, quality of the audio experience, or any other condition, element or process is deemed unacceptable. If the Court terminates a remote proceeding, the Court may enter an Order scheduling an in-person court appearance or a remote appearance at a later date and time.
5. Regularly Scheduled Times When Remote Forum is Available. Remote proceedings for pleas will be held on the same date scheduled by the charging document, including but not

limited to a Uniform Traffic Citation, 30 minutes after the time scheduled in the charging document.

For example, litigants who have a court appearance scheduled by Uniform Traffic Citation for 8:30am on July 15, 2020 may choose to appear remotely on July 15, 2020 at 9:00am through the Zoom remote courtroom. Similarly, litigants who have a court appearance scheduled by Uniform Traffic Citation for 1:30pm on July 15, 2020 may choose to appear remotely on July 15, 2020 at 2:00pm.

The remote courtroom will open promptly at 9am and 2pm. However, the Court will generally address litigants in the physical courtroom while social distancing and other pandemic protocols are being followed before handling cases for those appearing remotely.

The Court expects to hear matters on the following schedule:

8:30am	Pleas in person
9:00am	Remote Courtroom Opens
9:30am	Post-plea Matters
10:00am	Trials in Person
1:30pm	Pleas in person
2:00pm	Remote Courtroom Open
2:30pm	Post-plea Matters
3:00pm	Trials in Person

To the extent prosecutor and clerk staff are available, the Court is available to hear matters for attorneys who are ready to proceed at 8:15am and 1:15pm.

6. Zoom Link to Appear Remotely in CR102. Use the following information to appear remotely through Zoom in CR102:

Link: <https://zoom.us/my/mchenrycourtroom102>

Meeting ID: 890-297-5604

Personal Link Name: mchenrycourtroom102

Password: No password required

7. Pleas by Affidavit in the Remote Proceeding. The Court in its discretion may accept negotiated guilty pleas by Affidavit in the remote proceeding. See, 625 ILCS 5/6-601. Affidavits should be filed at least 48 hours prior to the time of the remote appearance. Attorneys who plan to use an affidavit to present a client's negotiated guilty plea may consult and consider the sample affidavit attached hereto as Exhibit A.
8. Elimination of Paper. To the extent possible and reasonable, handing of papers to the Court or Clerk's staff should be eliminated in CR102. Attorneys are strongly encouraged to use e-filing to file Appearances, Affidavits and Motions. Filing documents 48 hours in advance

of the court appearance should ensure that the materials are available in the Court's file for viewing.

9. Preparation Required before a Remote Appearance. All remote participants should take the time necessary prior to the remote proceeding to become familiar with the Zoom controls and to test the device microphone and speaker controls. Remote participants must have sufficient LAN, WiFi, or substantial LTE connection to ensure a quality video teleconference. Remote participants should ensure they have an adequate power source for the device used to appear remotely. Cases in CR102 are generally scheduled together in blocks of time; therefore, participants should expect to be connected to the remote proceeding for longer than the time it may take to hear their specific matter and should plan accordingly.

Dated 6/5/2020

Judge: 

**IN THE CIRCUIT COURT OF THE 22ND JUDICIAL CIRCUIT
MCHENRY COUNTY, ILLINOIS**

)	
Plaintiff,)	
)	
vs.)	Case No. _____
)	
)	
Defendant)	

AFFIDAVIT IN SUPPORT OF NEGOTIATED PLEA

1. I am the Defendant in this case(s) and am the person named in the Citation(s) at issue in this case(s). My name, address, and date of birth are true and correct as stated in the Citation(s).
2. I acknowledge that I have been fully informed and that I understand the following:
 - a. The nature of the offenses charged and any amended offense(s);
 - b. The maximum and minimum sentence prescribed by law including the monetary and non-monetary portion of a sentence. I have been informed and understand the minimum and maximum fines for the charged offense(s) and any amended offense(s) and any potential fees and any assessments that may be imposed. I have been informed and understand the possible dispositions I may receive if I plead guilty to the charged offense(s) and any amended offense(s) including a conviction, supervision with conditions, and/or conditional discharge;
 - c. The terms of the negotiated plea and all direct consequences of my GUILTY plea; and,
 - d. The Court is not bound by the terms of the negotiated plea and may impose a sentence that is different from that contemplated by the plea agreement.
3. I acknowledge that I have been informed and that understand **I HAVE THESE RIGHTS:**
 - a. To be present in person for all critical stages of a criminal proceeding, including at the time a guilty plea is entered and a sentence is imposed by the Court;
 - b. To plead not guilty or persist in any not guilty plea I have previously made;
 - c. To a trial by either a jury or a judge;
 - d. To see, hear, confront and cross-examine the witnesses and evidence against me in court;
 - e. To present evidence and witnesses in my defense, including the use of subpoena power to compel witnesses to appear or the compel the production of documents and tangible things;
 - f. Against compulsory self-incrimination;
 - g. To be presumed innocent of the charge(s) against me and to have the prosecution prove my guilt by the standard applicable to the charge, either by a preponderance of the evidence or beyond a reasonable doubt; and
 - h. To make a statement on my own behalf before sentencing if I am found guilty.
4. I acknowledge and understand that **BY PLEADING GUILTY, I AM WAIVING ALL OF MY RIGHTS LISTED HEREIN, INCLUDING THE RIGHT TO TRIAL.**

CR102 Standing Order 2020-02
Exhibit A

5. I stipulate to facts sufficient to convict for the offense(s) charged and any amended offense(s). If this case were to proceed to trial, there is a sufficient factual basis to convict me of the offense(s) and to impose a sentence for those offense(s) as suggested in the negotiated plea.
6. I have read this Affidavit and I am pleading GUILTY freely and voluntarily. No force, threats or promises—apart from any plea agreement made known to the Court—were used to obtain my agreement to enter this negotiated plea.
7. I have not been placed on Court Supervision more than once in any court for a violation of any state statute or local ordinance committed in the past 12 months of the date of the issuance of the citation(s) in this case.

FURTHER AFFIANT SAYETH NOT

Under penalties of perjury, the undersigned certifies that the statements set forth in this instrument are true and correct except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he/she verily believes the same to be true.

Signature

Printed Name

CONSENT TO SUPERVISION (Defendant age 17 or under)

I am the parent or guardian of the Defendant named in this case(s) and hereby consent to the entry of an Order for court supervision.

Under penalties of perjury, the undersigned certifies that the statements set forth in this instrument are true and correct except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he/she verily believes the same to be true.

Signature

Printed Name

Prepared By:

Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Phone: _____

ARDC No.: _____ Email address: _____